

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Tito Freddy Ontiveros,

Case No. 18-cv-1916 (WMW/KMM)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Tito Freddy Ontiveros,

Defendant.

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This matter is before the Court on the August 17, 2018 Report and Recommendation (R&R) of United States Magistrate Judge Katherine M. Menendez. (Dkt. 8.) The R&R recommends dismissing Plaintiff Tito Freddy Ontiveros's case without prejudice for failure to prosecute. *See Fed. R. Civ. P. 41(b).* Objections to the R&R have not been filed in the time period permitted. In the absence of timely objections, this Court reviews an R&R for clear error. *See Fed. R. Civ. P. 72(b)* advisory committee's note to 1983 amendment ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The August 17, 2018 R&R, (Dkt. 8), is **ADOPTED**.

2. Plaintiff Tito Freddy Ontiveros's case is **DISMISSED WITHOUT PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 21, 2018

s/Wilhelmina M. Wright

Wilhelmina M. Wright

United States District Judge